

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer, <i>et al.</i> ,)	
)	
Plaintiffs,)	69cv07941-BB/LFG
)	
v.)	RIO CHAMA ADJUDICATION
)	
ROMAN ARAGON, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

UNITED STATES' STATUS REPORT
ON WILD AND SCENIC RIVER SETTLEMENT

Upon receipt of this Court's Order directing the United States to file a Status Report, Counsel for the United States conferred with officials in Washington DC regarding the status of their review of the proposed Consent Order for the water rights of the Rio Chama Wild and Scenic River. Counsel has been advised that the approval process for the settlement should be completed within three weeks.

The Court's Order requested a proposed schedule for submittal of the proposed consent order for the Court's approval. The United States respectfully requests that it be allowed up to, and including March 2 to file a motion requesting approval of the consent order. The consent order will only be binding on those parties that participated in its negotiation and agreed to its terms. *See State of New Mexico ex rel. Reynolds v. Pecos Valley Artesian Conservancy Dist.*, 99 N.M. 699, 701, 663 P.2d 358, 360 (NM 1983) (noting that unless there is an expedited *inter se* proceeding, rights are adjudicated individually and then subject to challenge in *inter se* proceedings). Because those parties

– the State, the Rio Chama Acequias Association, the Asociacion de Acequias Norteñas de Rio Arriba and the United States – will have agreed to its terms, there should be no objections to the entry of the consent order.

The United States appreciates the Court's and the other parties' patience with this matter.

DATED this 6th day of February, 2012.

Respectfully Submitted,

Ignacia S. Moreno
Assistant Attorney General

/s/ David W. Gehlert
DAVID W. GEHLERT, Trial Attorney
Natural Resources Section
United States Department of Justice
999 18th Street
South Terrace – Suite 370
Denver, CO 80202

Counsel for the United States

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on February 6, 2012, I filed the foregoing
UNITED STATES' STATUS REPORT ON WILD AND SCENIC RIVER SETTLEMENT
electronically through the CM/ECF system, which caused parties or counsel to be served
by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Dave W. Gehlert
DAVID W. GEHLERT